Registration of Sikh marriages

1767. SHRI TARLOCHAN SINGH: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether the Anand Marriage Act of 1909 has all the provisions which are required for a proper marriage act;

(b) whether it is a fact that the Sikh community is demanding the inclusion of registration clause in this Act and the Parliamentary Committee on Personnel, Public Grievances and Pensions, Law and Justice has recommended the amendment for adding registration clause; and

(c) why the Ministry is not agreeing to this just demand, which has already been recommended by the Supreme Court?

THE MINISTER OF LAW AND JUSTICE (SHRI H.R. BHARDWAJ): (a) The Anand Marriage Act, 1909 was enacted to remove doubts as to the validity of the marriage ceremony common among the Sikhs called Anand.

(b) The Government has received a representation from a Member of Parliament, Rajya Sabha, for insertion of a clause in the Anand Marriage Act, 1909 to provide for registration of Sikh marriages. The Department Related Parliamentary Standing Committee on Personnel, Public Grievances, Law and Justice held a meeting on 4.12.2007 on the issue of amendment in the Anand Marriage Act, 1909. The Committee in the light of the decision of the Supreme Court Case in Smt. Seema *Vs.* Ashwani Kumar AIR 2006 SC 1158 considered the issue of compulsory registration of marriage in the country alongwith the demand for amendment in the Anand Marriage Act, 1909.

(c) The Government is carefully examining various aspects/implications of the said judgment to consider the issue of compulsory registration of marriage in the country along with the demand for amendment in the Anand Marriage Act, 1909.

Selection of judges

1768. SHRI VARINDER SINGH BAJWA: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether Government has taken note of the criticism by legal experts, particularly by a former Law Minister, that the practice of selection of higher judiciary personnel by the collegium of the Supreme Court is fraught with many pitfalls, as the sitting judges of the Supreme Court tend to select their cronies and relatives for appointments; and

(b) if so, what is Government's reaction to such criticism and whether any action is proposed to be taken to revise the procedure for selection and by when that is likely to be implemented?

THE MINISTER OF LAW AND JUSTICE (SHRI H.R. BHARDWAJ): (a) Yes, Sir. There has been some criticism regarding the process of appointment of High Court and Supreme Court Judges, which is being followed pursuant to the Supreme Court judgement of October 6, 1993 in the case of Supreme Court Advocates on Record and Ors. *vs.* Union of India and Ors. Read with their Advisory Opinion of October 28, 1998.